

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

SUPERIOR COURT DEPARTMENT
MIDDLESEX DIVISION
NO: [REDACTED]

COMMONWEALTH)

V.)

MOTION TO COMPEL PRODUCTION OF
DOCUMENTARY EVIDENCE AND OBJECTS
PURSUANT TO SUBPOENA DUCES TECUM

Now comes the defendant, [REDACTED] and moves before this Honorable Court, pursuant to M.R. Crim. P. 17 (a) (2), for an order compelling THE COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH, WILLIAM A. HINTON STATE LABORATORY INSTITUTE, 350 SOUTH ST., JAMAICA PLAIN, MA., 02130 to produce documentary evidence and objects (specifically, records showing that State Chemist ANNIE DOOKHAN breached the chain of custody protocol of the William A. Hinton State Laboratory Institute in June, 2011, thus, affecting [REDACTED] cases in Norfolk County) pursuant to subpoena duces tecum.

As reason, therefor, the defendant attaches an affidavit.

Respectfully submitted,

[REDACTED]
By his Attorney:

Richard M. Doyle, Jr.
875 Massachusetts Avenue
Suite 32
Cambridge, Ma. 02139
Tel: (617) 864-1390

Dated: July 2, 2012

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX

SUPERIOR COURT DEPARTMENT
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COMMONWEALTH)

V.)

AFFIDAVIT

1. My name is Richard M. Doyle, Jr., my B.B.O. number is 552133, my practice is located at 875 Massachusetts Avenue, in Cambridge, Ma..
2. [REDACTED] is my client.
3. I have recently learned from the Commonwealth that the State Chemist in this matter, Ms. Annie Dookhan, has breached the chain of custody protocol in criminal prosecutions in Norfolk County, as recently as June, 2011.
4. To mount an effective defense in the foregoing matter, counsel will argue that any records relating to this breach of chain of custody protocol are properly admissible in the case at bar.
5. The requested documents will not be forthcoming until this motion is allowed.
6. The defendant attaches exhibit #1 (Commonwealth's Discovery Notice) in support of his contention.
7. The defendant respectfully requests that this motion be allowed.

[REDACTED]
By his Attorney:

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